

Application No.: 10/574,736
Amendment Dated: November 12, 2008
Reply to Office Action of: August 13, 2008

MAT-8830US

Remarks/Arguments:

Claims 1, 5, 8, 11, 12, 15-22 and 29 are pending in the application. These claims are also rejected. Claims 1, 8, 11, 21, 22, 29 and 30 have been amended. New claims 31-34 have been added to the application. No new matter has been added.

On page 2, the Official Action rejects claims 1, 8, 11, 29 and 30 under 35 U.S.C. § 103(a) as being unpatentable over Salokannel (US 2005/0249173) in view of Ho (US 2006/0092909). It is respectfully submitted, however, that the claims are patentable over the art of record for the reasons set forth below.

The cited reference Ho (US 2006/0092909) has a priority date of October 29, 2004 based on provisional application (60/623,602). Applicants' present application, however, has a Japanese priority date of August 31, 2004, which is based upon Japanese application (JP 2004-252243). Thus, Applicants' Japanese priority date predates Ho's provisional application. Withdrawal of the rejection is respectfully requested.

Applicants have enclosed a verified English translation of Japanese priority application (JP 2004-252243) herewith. It is shown that Applicants' Japanese priority document (JP 2004-252243) has sufficient support for the features in the amended claims. Specifically, support for detecting an empty beacon slot and moving to that detected beacon slot as recited in claim 1 is found on at least page 1 lines 10-15, page 4 lines 1-10 and paragraphs 66-72 of (JP 2004-252243).

Applicants' invention, as recited by claim 1, includes a feature which is neither disclosed nor suggested by the art of record:

...wherein the empty beacon slot is confirmed to be available when, in each of the specified number of super frames:

i) a specific beacon transmitted from a specific radio communication apparatus programmed to move its beacon slot position is not received later than the radio communication apparatus's beacon slot position within the beacon period and earlier than the end of the beacon period, and

ii) the specific radio transmission apparatus programmed to move its beacon slot position is not detected in other beacon period occupancy information included in the other beacons transmitted from the other radio communication apparatuses to have the specific beacon later in the beacon period than the radio communication apparatus; and

a step of moving the beacon slot to the empty beacon slot after the specified number of super frames, and transmitting the beacon in the new beacon slot, when the empty beacon slot is confirmed to be available.

Claim 1 relates to confirming an empty beacon slot and then moving to the empty beacon slot after a specified number of super frames. Specifically, a communication apparatus is able to confirm an empty beacon slot is available when i) a beacon from another apparatus is not received later than its own beacon and ii) the other apparatus does not detect beacons from any other radio communication apparatuses to be later in the beacon period. Once the beacon slot is confirmed to be available, the beacon of the apparatus is moved to the empty beacon slot after counting a specified number of superframes. This feature is found in the originally filed application on pages 4 and 5 and furthermore, in Figs. 9A, 9B, 9C, 10A, 10B and 10C. No new matter has been added. Accordingly, for at least the reasons set forth above, claim 1 is patentable over the art of record.

Independent claims 8, 29 and 30 have similarly features to claim 1. Thus, these claims are also patentable over the art of record for at least the reasons set forth above.

New independent claims 31 and 33 have been added to the application. Claims 31 and 33 have similar features of claim 1. Thus, these claims are also patentable over the art of record for at least the reasons set forth above.

Dependent claims 5, 11, 12, 15-22, 32 and 34 include all of the novel features of the claims from which they depend. Thus, these claims are also patentable over the art of record for the reasons set forth above.

The Official Action has rejected claims 5, 12 and 15-22 based on various combinations of Salokannel, Ho (US 2006/0092909), Ho (US 2005/0259754) and

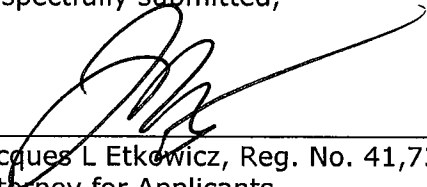
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Nishiyama (US 2005/0036475). None of these references, however, suggest confirming an empty available beacon slot and moving the beacon to the empty beacon slot after a specified number of superframes as recited in Applicants' claim 1. Thus, these references are deficient in suggesting Applicants' invention.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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Attachment: Verified English Translation of JP 2004-252243

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